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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

**BINYAM MOHAMED;
ABOU ELKASSIM BRITEL;
AHMED AGIZA;
MOHAMED FARAG AHMAD
BASHMILAH;
BISHER AL-RAWI,**

Plaintiffs,

v.

JEPPESEN DATAPLAN, INC.,

Defendant.

Civil Action No. 5:07-cv-02798 (JW)

**PLAINTIFFS' RESPONSE TO UNITED
STATES' MOTION TO INTERVENE**

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1 Plaintiffs take no position on the United States' Motion to Intervene. However, for the
2 reasons stated in Plaintiffs' Memorandum of Opposition to the United States Motion to
3 Dismiss or, in the Alternative, for Summary Judgment, filed herewith, plaintiffs believe that
4 the United States' invocation of the state secrets privilege is premature.
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8 Respectfully submitted,

9
10 /s/ Ben Wizner
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing PLAINTIFFS' RESPONSE TO UNITED STATES' MOTION TO INTERVENE will be served by means of the Court's CM/ECF system, which will send notifications of such filing to the following:

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Dated: December 14, 2007

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